



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Resolution/Order to Vacate the Alley West of Washington Street, from Cherry Street to 93.68 Feet North of East Vine Street

MEETING DATE: January 18, 1995

PREPARED BY: Public Works Director


RECOMMENDED ACTION: That the City Council, after reviewing the finding by the Planning Commission and the public comments from the subject public hearing, take the appropriate action on this proposed abandonment.

BACKGROUND INFORMATION: At its regular meeting of December 21, 1994, the City Council adopted a resolution of intention to vacate the alley west of Washington Street, from Cherry Street to 93.68 feet north of East Vine Street, reserving a permanent easement to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in, over, and across said alley; and referred the matter to the Planning Commission.

The 20-foot unimproved alley once provided access to a since abandoned well site. The south 93.68 feet of the alley was previously abandoned. The location of the proposed alley abandonment is shown on the attached exhibit.

The Planning Commission, at its January 9, 1995 meeting, made the determination that there was no public need for the alley and recommended abandonment with easement rights retained. Pacific Bell, King Videocable, PG&E, and City of Lodi utilities have all indicated the proposed abandonment is acceptable if it is approved on the condition that a permanent easement be reserved.

FUNDING: Not applicable.


Jack L. Ronsko
Public Works Director

Prepared by Jeannie Matsumoto, Senior Engineering Technician

JLR/JM/lm

Attachments

cc: City Attorney
Public Works Administrative Assistant
Senior Engineering Technician
Adjacent Residents and Property Owners

APPROVED: 

THOMAS A. PETERSON
City Manager



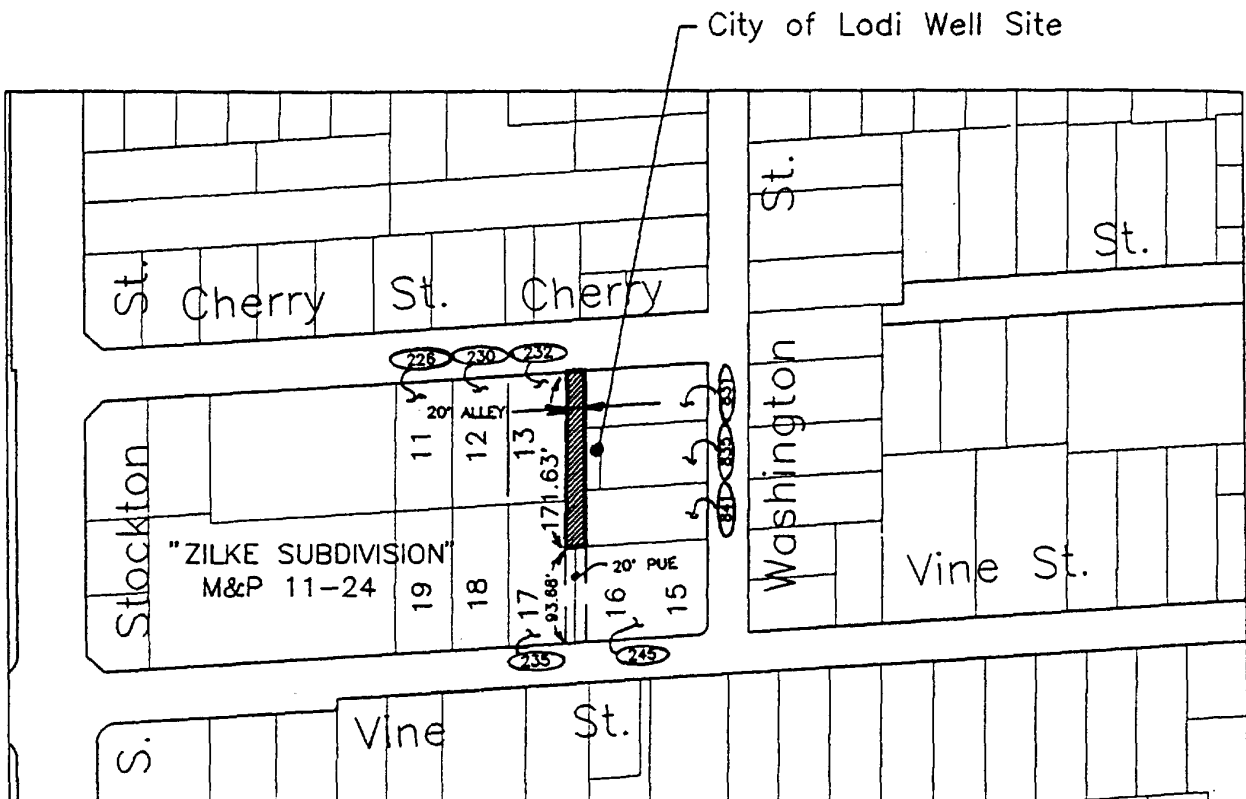
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CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT



N.T.S.

RESOLUTION NO. 95-08

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A RESOLUTION/ORDER OF THE LODI CITY COUNCIL
VACATING THE ALLEY WEST OF WASHINGTON STREET,
FROM CHERRY STREET TO 93.68 FEET NORTH OF EAST VINE STREET

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WHEREAS, this City Council acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this State, did on the 21st day of December, 1994 pass and adopt a Resolution of Intention No. 94-150 therein declaring the intention of said City Council to vacate that portion of the alley west of Washington Street, from Cherry Street to 93.68 feet north of East Vine Street, Lodi, California, County of San Joaquin, State of California, reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley, and more particularly described as follows, to wit:

The alley located west of Washington Street, from Cherry Street to 93.68 feet north of East Vine Street as shown on Exhibit A attached hereto;

WHEREAS, said notice of said intended vacation was regularly given by publication and by posting, both in time, form and manner as required by law as is evidenced by affidavits on file and on record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provisions stated in Resolution No. 94-150 and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before the City Council in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, beginning at 7:00 p.m. on Wednesday, January 18, 1995, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place, a noticed public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, at the January 18, 1995 City Council meeting, the City Council of the City of Lodi did determine that said portion of said alley is unnecessary for present or future public use and did so find and declare; and

WHEREAS, the Planning Commission did find that the subject vacation was consistent with the General Plan of the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, that there is hereby abandoned that portion of

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the alley nor of East Lodi Avenue, from Cherokee Lane to 280 feet west of Cherokee Lane, Lodi, California, and more particularly described as follows:

The alley located west of Washington Street, from Cherry Street to 93.68 feet north of East Vine Street as shown on Exhibit A attached hereto.

Reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: January 18, 1995

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I hereby certify that the foregoing RESOLUTION/ORDER VACATING that portion of the alley west of Washington Street, from Cherry Street to 93.68 feet north of East Vine Street, Lodi, California, with the conditions stated, was passed and adopted by the Lodi City Council in a regular meeting held January 18, 1995 by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock, Warner
and Mann (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Jennifer M. Perrin
City Clerk

95-08

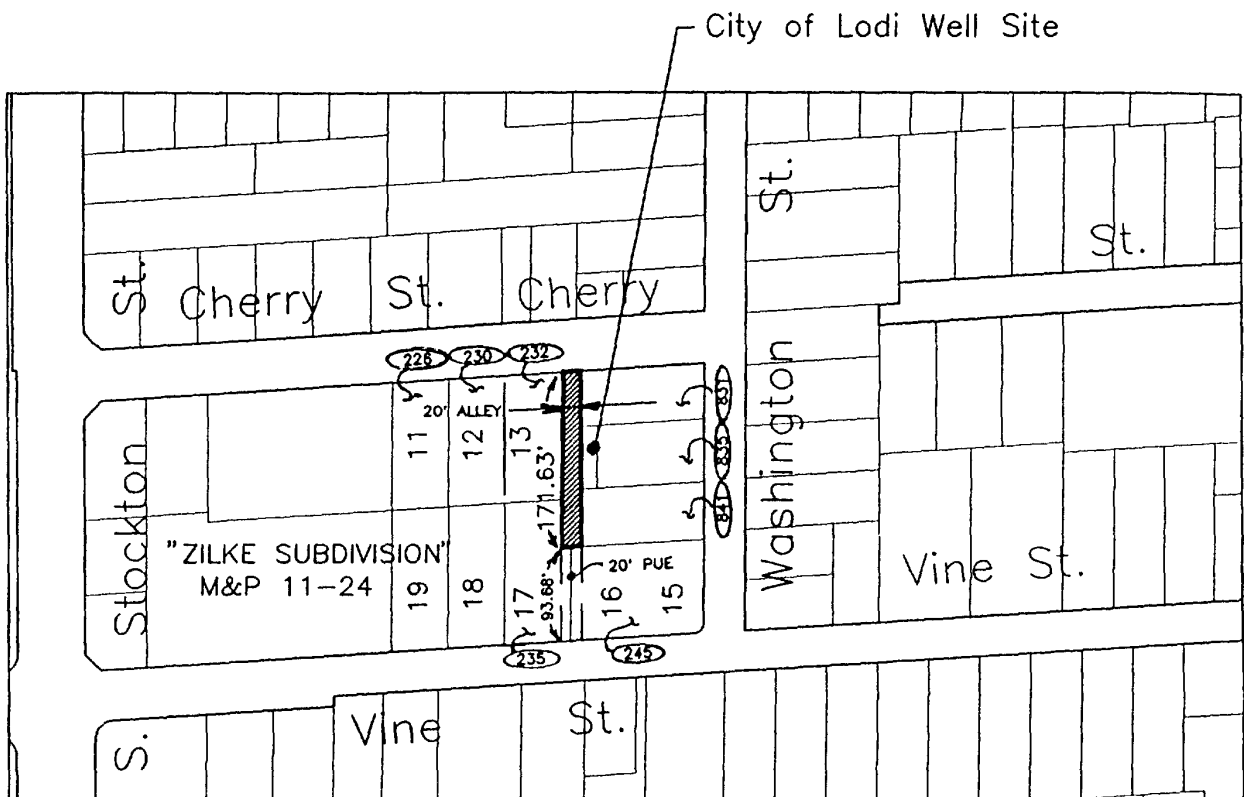
RES9508/TXTA.02J



CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT



N.T.S.



DECLARATION OF MAILING

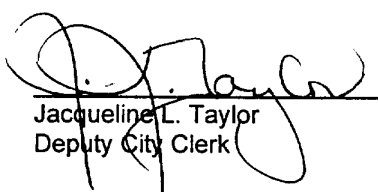
On December 22, 1994 in the City of Lodi, San Joaquin County, California, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 22, 1994, at Lodi, California.

Jennifer M. Perrin
City Clerk



Jacqueline L. Taylor
Deputy City Clerk

Dorothy Erickson
219 E Cherry Street
Lodi, CA 95240

Francisco Valdez
225 E. Cherry Street
Lodi, CA 95240

Stanley Gruebele
835 S. Rose Street
Lodi, CA 95240

Javier Juarez
226 E Cherry Street
Lodi, CA 95240

Gertrude Smith
230 E Cherry Street
Lodi, CA 95240

Orlando Spero
1434 Arundel Court
Lodi, CA 95240

Arturo L & Martha D Lopez
221 E Vine Street
Lodi, CA 95240

Ghulam & Amira Rasool
225 E Vine Street
Lodi, CA 95240

Adrian J & B J Borders
1111 Simpkins Road
Napa, CA 94558

William & Betty Hrovat
1556 Iris Drive
Lodi, CA 95242

Church of Covenant Reform
245 E Vine Street
Lodi, CA 95240

Jose A ETAL Hernandez
841 S. Washington Street
Lodi, CA 95240

Stewart C Adams Jr.
111 West Pine Street
Lodi, CA 95240

Douglas Ellen Pinkham
824 S. Washington Street
Lodi, CA 95240

Michael Peters
828 S. Washington Street
Lodi, CA 95240

Danielle E. Francis
2618 Minton Court
Pleasanton, CA 94588

John R Etal Spero
1434 Arundel Court
Lodi, CA 95242

Gerald W & Gail P Gritis
25356 Fortuna Drive
Valencia, CA 91355

Gloria V Solis
423 Cherry Street
Lodi, CA 95240

Frank Life Est Migliardo
850 S. Washington Street
Lodi, CA 95240

James Pickett
820 S. Washington Street
Lodi, CA 95240

Odeal E Etal Meier
819 S. Washington Street
Lodi, CA 95240

Roger and Gracie Ramsower
915 S. Pleasant Avenue
Lodi, CA 95240

Sher Etal Afzal
16875 W Bernardo Drive
San Diego, CA 92127

Jerry L. Glenn
4341 St. Andrews Drive
Stockton, CA 95219

Mohammad Alam
440 Maple Street
Lodi, CA 95240

Rose Albrecht
242-1/2 E Vine Street
Lodi, CA 95240

Richard W & Fay Hanson
16803 Fox Road
Lodi, CA 95240

Alfonso Sr & L Pena
300 E. Vine Street
Lodi, CA 95240

Catherine Ferrante
227 Cherry Drive
Lodi, CA 95240

Maria D Dorado
817 S Washington Street
Lodi, CA 95240

David & Isabel Ochoa
1426 Iris Drive
Lodi, CA 95242

Odeal E Etal Meier
819 S Washington Street
Lodi, CA 95240

James P & Wanda Davis
831 S. Washington Street

Berniece Harper
809 S. Washington Street



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: January 18, 1995

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

January 18, 1995

NOTICE IS HEREBY GIVEN that on Wednesday, January 18, 1995 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Intention to abandon the remaining portion of the alley west of Washington Street as shown on the attached exhibit.

This matter was referred to the Planning Commission and will be heard at its meeting of January 9, 1995.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.


If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:


Jennifer M. Perrin
City Clerk

Dated: December 21, 1994

Approved as to form:

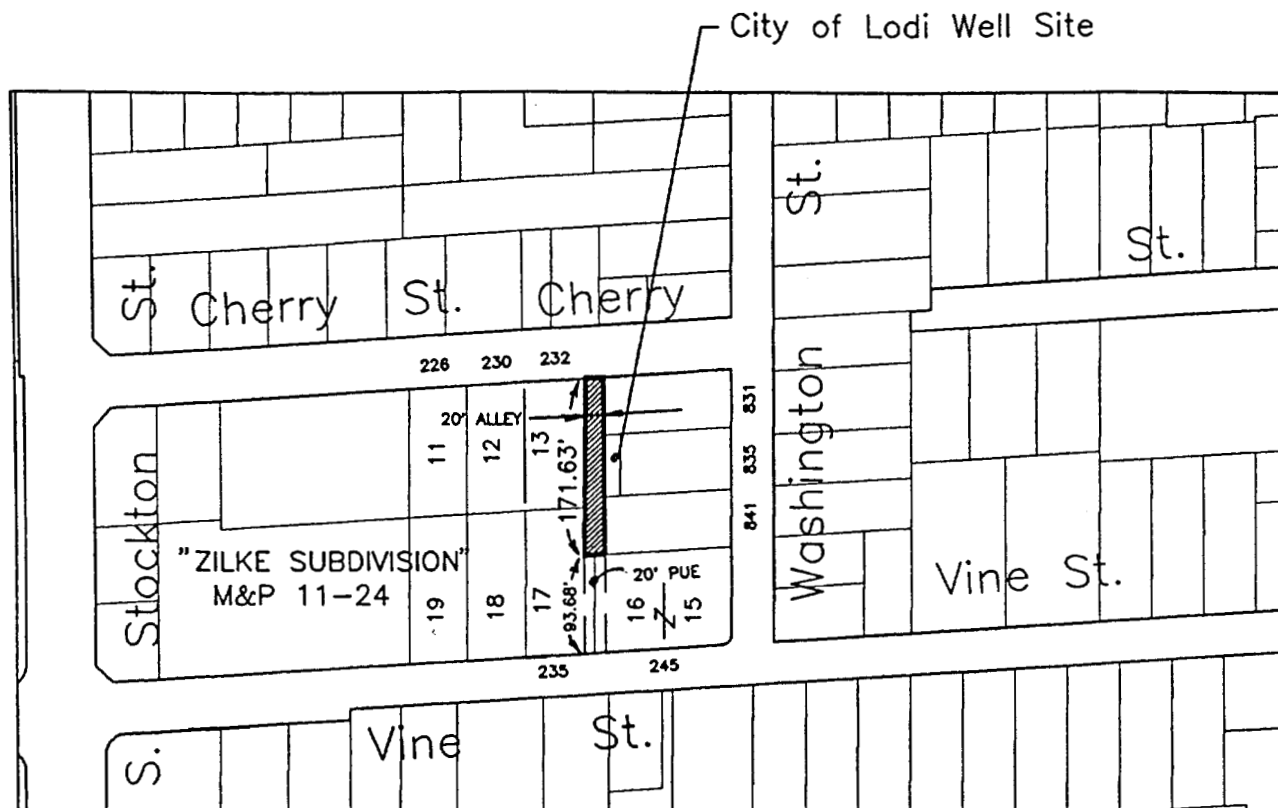

Bobby W. McNatt
City Attorney



CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT



N.T.S.

CITY COUNCIL

STEPHEN J. MANN, Mayor
DAVID P. WARNER
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNINO
JACK A. SIEGLOCK

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

January 11, 1995

Not attached

SUBJECT: Public Hearing to Consider Resolution/Order to Vacate the Alley
West of Washington Street, from Cherry Street to 93.68 Feet North
of East Vine Street

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, January 18, 1995, at 7 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

The Council will conduct a public hearing on this item. You are welcome to attend and speak at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Jeannie Matsumoto at (209) 333-6706.


Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk ✓

JOSE A HERNANDEZ ET AL
841 S WASHINGTON ST
LODI CA 95240

ORLANDO G SPERO ET AL
1434 ARUNDEL CT
LODI CA 95242

RESIDENT
232 E CHERRY ST
LODI CA 95240

PROVIDENCE REFORMED
CHURCH
245 E VINE ST
LODI CA 95240

WILLIAM V & BETTY HROVAT
1556 IRIS DR
LODI CA 95242

JAMES P & WANDA DAVIS
831 S WASHINGTON ST
LODI CA 95240

ROGER & GRACIE RAMSOWER
915 S PLEASANT AVE
LODI CA 95240

RESIDENT
835 S WASHINGTON ST
LODI CA 95240